

Court

Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner)

UNITED STATES DISTRICT COURT

for the

Federal District of Oregon

Portland Division

Case No. 6:20-cv-00471 MK

(to be filled in by the Clerk's Office)

Gordon Alan Gefroh

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Beth Crawford OSB# 082957
 Frederick Boss, Deputy Attorney General
 OSB# 911424
 Tiffany Deaton

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

**AMENDED COMPLAINT FOR VIOLATION OF
 CIVIL RIGHTS (Non-Prisoner Complaint)**

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Gordon Alan Gefroh		
Address	23635 Timber Supply Road		
	Philomath	Oregon	97370
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
County	Benton		
Telephone Number	503-997-9555		
E-Mail Address	gordongefroh@peak.org		

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name	Beth Crawford		
Job or Title <i>(if known)</i>	Defendant		
Address	310 NW 5 th St. Ste. 205		
	Corvallis	Oregon	97330
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
County	Benton		
Telephone Number	541-752-0037		
E-Mail Address <i>(if known)</i>	info@crawfordlawfirm.us		
<input type="checkbox"/> Individual capacity <input checked="" type="checkbox"/> Official capacity			

Defendant No. 2

Name	Frederick Boss, Deputy Attorney General, OSB# 911424		
Job or Title <i>(if known)</i>	Deputy Attorney General, Oregon OSB# 911424		
Address	1162 Court St NE		
	Salem	Oregon	97301
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
County	Marion		
Telephone Number	503 378-6002		
E-Mail Address <i>(if known)</i>	fred.boss@doj.state.or.us		

Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner)

☐ Individual capacity ☒ Official capacity

Defendant No. 3

Name Tiffany Deaton

Job or Title (if known) Court Administrator

Address 120 NW Fourth St., Benton County Courthouse

Corvallis Oregon 97330

City State Zip Code

County Benton

Telephone Number 503-378-6002

E-Mail Address (if known) Tiffany.Deaton@co.benton.wa.us@ojd.state.or.us

☐ Individual capacity ☒ Official capacity

Defendant No. 4

Name Loche Williams

Job or Title (if known) Judge

Address

Corvallis Oregon 97380

City State Zip Code

County Benton

Telephone Number

E-Mail Address (if known)

☐ Individual capacity ☒ Official capacity**II. Basis for Jurisdiction**

Under 42 U.S.C. § 1983, you may sue state or local officials for the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

- ☐ Federal officials (a *Bivens* claim)
- ☒ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

ARTICLE I - SECTION § 8:17 United States Constitution note: Where congress exercises exclusive Legislation in all Cases whatsoever: Violation, Invalidated

40 U.S.C. 255 "It is conclusively presumed that jurisdiction has not been accepted until the Government accepts jurisdiction over land as provided in this section." Violation and Invalidated, Without Acceptance Filing, see *Adams v. United States*, 319 U.S. 312 (1943); *Surplus Trading Co. v. Cook*, 281 U.S. at 651-52. (R.S. §355; June 28, 1930, ch. 710, 46 Stat. 828; Feb. 1, 1940, ch. 18, 54 Stat. 19; Oct. 9, 1940, ch. 793, 54 Stat. 1083; Pub. L. 91-393, §1, Sept. 1, 1970, 84 Stat. 835. ; Cross References Erection of public buildings on condemned property authorized though Attorney General has not approved title, see section 258e of Title 40.

Power of United States to acquire land within the States, see Const. Art. 1, §8, cl. 17.

President authorized to procure consent of State within which any land has been purchased for forts, magazines, etc., see section 103 of Title 4, Flag and Seal, Seat of Government, and the States.

Purchase contract agreements, applicability of section to, see section 356 of Title 40.)

U.C.C. 1-103 Common Law Forum Over Personal Jurisdiction, Subject Matter Jurisdiction, Violation Unequivocal: UCC 1-103:23 A statute should be construed in harmony with the common law unless there is a clear legislative intent to abrogate the common law: Violated

U.C.C. 3-501 Improper Endorsement, Lack of Power of Attorney to Act On Behalf of Another

U.C.C. 3-419 Accommodation Party Violation

18 U.S.C. 7 (3) Special Maritime Admiralty Jurisdiction - invalidated

28 U.S.C. 1746 Unsworn Statements Under Penalties of Perjury (Violated), 1759. PERJURY CASES -- 28 USC 1746 DECLARATIONS: CRIMINAL RESOURCE MANUAL - invalidated (Added Pub. L. 94-550, § 1(a), Oct. 18, 1976, 90 Stat. 2534.)

43 U.S.C. 83 Certified Federal Instruments: Land Patents Evidence (Violated) (Mar. 22, 1904, ch. 748, 33 Stat. 144 ; Oct. 28, 1921, ch. 114, §1, 42 Stat. 208 ; Mar. 3, 1925, ch. 462, 43 Stat. 1145 ; 1946 Reorg. Plan No. 3, §403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100.)

U.C.C. 1-206, ORS 71.2060 Presumption Invalidated Lack of Validation over case# 20DR01906 Benton County Courthouse

(R.S. § 1979; Pub. L. 96-170, § 1, Dec. 29, 1979, 93 Stat. 1284; Pub. L. 104-317, title III, § 309(c), Oct. 19, 1996, 110 Stat. 3853.)

All of the above laws are applicable to this case, see 1 U.S.C. § 112 (July 30, 1947, ch. 388, 61 Stat. 636; Sept. 23, 1950, ch. 1001, § 1, 64 Stat. 979; Oct. 31, 1951, ch. 655, § 3, 65 Stat. 710; Pub. L. 98-497, title I, § 107(d), Oct. 19, 1984, 98 Stat. 2291.)

- C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

1. It is conclusively presumed that the subject matter and/or personal matter is not operable within the jurisdiction of the court in question.

2. Validation of operability has not been established the court in question and the Attorney General State of Oregon.

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

Initiator of Claim Petition for Divorce, Beth Crawford OSB# 082957

III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. Where did the events giving rise to your claim(s) occur?

Beth Crawford practising law in Benton County Court, see Exhibit 'A' - Case #20DR01906 -- wrongful filing of case, wrongly assuming subject matter jurisdiction and personal jurisdiction and geographical jurisdiction -- Gordon Gefroh's land is the privately owned subject of Land Patents and deeds under common law; Gordon Gefroh's land has never been ceded to the Federal Government, and the United States has never accepted jurisdiction over Gordon Gefroh's land, therefore it shall be conclusively presumed that no such jurisdiction has been accepted, therefore the facts of which Beth Crawford complains could not have occurred in a place where there is subject matter jurisdiction, personal jurisdiction and geographical jurisdiction; where Congress shall exercise exclusive legislation under Article 1, Section 8, Clause 17 of the U.S. Constitution -- there is no proof of metes and bounds other than 40 U.S.C. 255 -- and who has jurisdiction over that area, the sovereign Union State at Large (whose seat is at Salem) or the sovereign National Government (whose seat is at Washington, D.C.)?

- B. What date and approximate time did the events giving rise to your claim(s) occur?

Benton County District Court February 17, 2020, case number filed 1/30/2020 10:09AM

- C. What are the facts underlying your claim(s)? *(For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)*

Location of Subject Matter and Personal Subject Matter is not within the Federal enclave. The Federal enclave is invalidated. See below (evidence) - - - - The case number 20DR01906 is invalidated and has not been validated. see *Adams v. United States*, 319 U.S. 312 (1943); *Surplus Trading Co. v. Cook*, 281 U.S. at 651-52

Child Removed Without Cause: Statutory Restraint ORS 107.097, 107.093, 107.095 (Child, Jason), is invalidated for lack of jurisdiction until validated by acceptance filing, supported by Attorney General's opinion letter: see *Adams v. United States*, 319 U.S. 312 (1943); *Surplus Trading Co. v. Cook*, 281 U.S. at 651-52.

Marriage Dissolution ORS 107.095 (4) is invalidated for lack of jurisdiction until validated by acceptance filing, supported Attorney General's opinion letter: See *Adams v. United States*, 319 U.S. 312 (1943); *Surplus Trading Co. v. Cook*, 281 U.S. at 651-52.

- Marriage Dissolution Case #20DR01906 is invalidated for lack of proper endorsement, see 28 U.S.C. 1746 Unsworn Statements Under Penalties of Perjury (Violated), see Justice Manual 1759. PERJURY CASES -- 28 USC 1746 DECLARATIONS: CRIMINAL RESOURCE MANUAL.

- Marriage Dissolution Case #20DR01906, under ORS 107.095 is invalidated for lack of jurisdiction, until validated by acceptance filing, supported by Attorney General's opinion letter: see *Adams v. United States*, 319 U.S. 312 (1943); *Surplus Trading Co. v. Cook*, 281 U.S. at 651-52.

Certificate of Residency ORS 14.070 and UTCR 8.010(1) is invalidated for lack of jurisdiction until validated by acceptance filing, supported by Attorney General's opinion letter: see *Adams v. United States*, 319 U.S. 312 (1943); *Surplus Trading Co. v. Cook*, 281 U.S. at 651-52.

Dolores Gefroh, alleged address, 1222 9th St. Philomath, Oregon 97370 is invalidated for lack of jurisdiction until validated by acceptance filing, supported by Attorney General's opinion letter: see *Adams v. United States*, 319 U.S. 312 (1943); *Surplus Trading Co. v. Cook*, 281 U.S. at 651-52.

- Gordon A. Gefroh, alleged address 23635 Timber Supply Road Philomath, Oregon 97370 is invalidated for lack of jurisdiction until validated by acceptance filing. supported by Attorney General's opinion letter: see *Adams v. United States*, 319 U.S. 312 (1943); *Surplus Trading Co. v. Cook*, 281 U.S. at 651-52.

Social Security Number: UTCR 2.100 alleged Confidential is invalidated for lack of jurisdiction until validated by acceptance filing, supported by Attorney General's opinion letter: see *Adams v. United States*, 319 U.S. 312 (1943); *Surplus Trading Co. v. Cook*, 281 U.S. at 651-52.

Private Property:

1122 N. 9th St. Philomath, Oregon, Patent #3821

1124 N. 9th St. Philomath, Oregon, Patent #3821

Violation, Invalidated for lack of jurisdiction until validated by acceptance filing:

see *Adams v. United States*, 319 U.S. 312 (1943); *Surplus Trading Co. v. Cook*, 281 U.S. at 651-52.

- 23635 Timber Supply Rd. Philomath, Oregon 97370, Patent #760

Violation, Invalidated for lack of jurisdiction until validated by acceptance filing:

see *Adams v. United States*, 319 U.S. 312 (1943); *Surplus Trading Co. v. Cook*, 281 U.S. at 651-52.

- 4192 Sussex St. West Linn, Oregon 97068-3723, Patent #568

Violation, Invalidated for lack of jurisdiction until validated by acceptance filing:

see *Adams v. United States*, 319 U.S. 312 (1943); *Surplus Trading Co. v. Cook*, 281 U.S. at 651-52.

Certificate of Live Birth July 31st 1959 #113-59-009781 Location St. Joseph Hospital (currently Trinity Hospital) City of Minot North Dakota, violation: invalidated for lack of jurisdiction until validated by acceptance filing: see *Adams v. United States*, 319 U.S. 312 (1943); *Surplus Trading Co. v. Cook*, 281 U.S. at 651-52.

IV. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

See above under III C. Other injuries to be determined.

Non medical : mistake over Jurisdiction.

V. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

I assert the Doctrine of Estoppel UCC 1-103:23, and relief from Special Maritime Admiralty Jurisdiction 18 U.S.C. § 7(3), for lack of validation of metes and bounds - where ~~congress~~ ^{Congress} exercises exclusive legislation over subject matter and personal jurisdiction. (See June 25, 1948, ch. 645, 62 Stat. 685; July 12, 1952, ch. 695, 66 Stat. 589; Pub. L. 97-96, § 6, Dec. 21, 1981, 95 Stat. 1210; Pub. L. 98-473, title II, § 1210, Oct. 12, 1984, 98 Stat. 2164; Pub. L. 103-322, title XII, § 120002, Sept. 13, 1994, 108 Stat. 2021; Pub. L. 107-56, title VIII, § 804, Oct. 26, 2001, 115 Stat. 377.)

Money Claims: \$10,000⁰⁰ per day for
violation of all reserved unalienable
Rights, claims commenced ^{Feb.} March 17, 2020

The reason for the money claims is for
the unalienable reservation of Rights have
all been prejudiced with evidence.

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 7/16/2020

Signature of Plaintiff /s/ Gordon Alan Gefroh

Printed Name of Plaintiff Gordon Alan Gefroh

B. For Attorneys

Date of signing: _____

Signature of Attorney _____

Printed Name of Attorney _____

Bar Number _____

Name of Law Firm _____

Address _____

City

State

Zip Code

Telephone Number _____

E-mail Address _____